Producer Advisory Council Meeting Minutes

November 16, 2011 Noon – 1:30pm Division of Insurance 1560 Broadway, Suite 850 Denver, CO 80202 Conference Room 110-A

Council Members: Gary Frisch – Robert Avery - Jim Passarelli (Connie via telephone) - Carole Walker - Joel Rosenblum – Dorothy Marshall – Tammey Sullivan – Jim Evans – Ken Valdez (telephone) – Roy Webb (telephone)

Division of Insurance: Paula Sisneros - Jo Donlin - Caryn Berumen - Lauren Keast

Guest Presenter: Rick Richter, President, Western Pacific Insurance

Administrative Matters

- 2012 Meeting Schedule: Meetings will be held the 3rd week of each month Jan-June, September & November, Civic Center Plaza, CR 110-D:
- Approval of Minutes: The September 21, 2011 meeting minutes were not approved due to a lack of a quorum of council members.
- Council Rules / Guidelines: Director Sisneros proposed amendment of the Operating Principles to specify how PAC membership is determined (appointed by the Commissioner, as with Title and Bail, or voted in), determine term limits, define council objectives, and stipulate how meetings are to be run (Robert's Rules for voting).
- Council Attendance: In 2011, of the eight meetings scheduled, only 1 meeting attendance met a quorum.
- Membership: Director Sisneros to reach out to two associations. Membership will be finalized at the next meeting.

Legislation / Communications

- Jo Donlin advised the Division is seeking a sponsor for a bill to allow the Division to join the Dodd Frank compact for surplus lines for collection of premium tax.
- Jo Donlin verified rate filings posted on the Division web page represent any company who filed in the last five years.
- Health Benefit Exchange the Board is in the final stages of hiring a Director after interviewing the final two candidates.
- The Division of Insurance encourages all producers to reach out and educate consumers on federal health care reform.

Rulemaking Hearings

- November 7, 2011, Adopted the Following:
 - 1-1-6, Concerning the elements of certification for accident and health forms, private passenger automobile forms, commercial automobile and individually owned private passenger automobile-type endorsement forms, claims made liability for preneed funeral contracts and excess loss insurance in conjunction with self-insured employer benefit plans under the federal "Employee Retirement Income Security Act"
 - 4-2-23, Procedure for Provider-Carrier Dispute Resolution
 - 4-6-8, Concerning Small Employer Health Plans
- <u>DORA Regulations</u>: Director Sisneros encouraged all council members to sign up for email notices. This free service will alert you via e-mail whenever a draft proposed rule or amendment to an existing rule is submitted for review. You will also be notified if a department or agency is required to submit a cost-benefit analysis as the result of a review at: http://www.dora.state.co.us/pls/real/sb121 web.signup form
- Rulemaking Process: Director Sisneros reviewed rulemaking process.

General

- Contractor General Liability Insurance:
 - Rick Richter, Western Pacific Insurance, was introduced by Gary Frisch to discuss HB10-1394, Concerning Commercial Liability Insurance Policies Issued to Construction Professionals.

Action Items

- Director Sisneros present overview of Secretary of State website for producer education on development of rules (regulations).
- Director Sisneros to email (1) council and (2) interested parties to define membership.